The present application is directed toward embodiments that provide a silent mode for a mobile device that works for PTT modes as well as normal calling mode.

The key difference between Xue and the embodiments of the present application hinge on the difference between "Do Not Disturb" and "Silent Mode". The Examiner has erroneously characterized them as being the same in paragraph 5 of the current office action. "Do Not Disturb" and "Silent Mode" are not the same.

"Do Not Disturb" flag settings refer to a user controllable setting that will **stop** all subsequent incoming talk session requests directed to the user's device" (See, ¶ [0005] of Xue). In contrast, "Silent Mode" causes a change from auto-answer to manual-answer in PoC (PTT) mode for devices specified on the user's PTT server accept list. The effect of changing from auto- to manual- answer mode does not mean that all subsequent incoming talk session requests directed to the user's device will be stopped but rather that they will be converted to manual mode and subject to other mobile device settings including those that prevent audible alerts.

In independent claims 1 through 8, Applicant includes language to either activate or de-activate a "silent mode" for PTT calls, requiring either an enablement or disablement of the PoC global setting parameter associated with the mobile terminal's PTT server accept list. In disabling the PoC global setting, the auto-answer mode for those on the access list is changed to a manual answer mode. The industry standard is silent with respect to how this automatic/manual global setting for the access list is set and controlled within the PTT server. The present application provides a mechanism by which the user can toggle the global setting in the PTT server using his mobile terminal. Xue simply does not teach or describe this type of activity.

This manual answer mode creates a "silent mode" for incoming PTT calls by not allowing the mobile terminal to be <u>automatically</u> connected to another PoC or PTT device. Thus, "silent mode" is enabled after the PTT server has disabled the PoC global setting for the access list, and calls from those on the accept list will be received by the PoC user via manual mode. The accept list is still "in_use" but the automatic/manual answer mode has been forced to manual (which can be set to vibrate to prevent audible interruptions) until deactivated by the user.

This is patentably distinct from Xue's manipulation of the DND flag setting which has no effect whatsoever on the enablement or disablement of the user's PTT server accept list. Thus, Xue's description of DND flag processing is not the same as
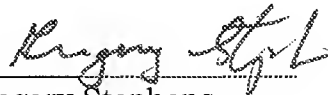
Applicant's toggling of the global setting associated with the mobile terminal's PTT server accept list.

For the above reasons, the Examiner has failed to show that all steps/elements of the independent claims are present in the art cited. Applicant believes he has responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

Date: _5·1·7_

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